

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
PATRICK B. McDONNELL
LINDA ULISS BURKE
Deputy City Attorneys



OFFICE OF CITY ATTORNEY

800 CITY HALL
200 EAST WELLS STREET
MILWAUKEE, WISCONSIN 53202-3551
TELEPHONE (414) 286-2601
TDD (414) 286-2025
FAX (414) 286-8550

December 17, 2003

To the Honorable Common Council
of the City of Milwaukee
Room 205 - City Hall

Re: Communication from Attorney Laurie A. Eggert, Eggert & Cermele, S.C.
for legal fees for Police Officer David Hoehne
C.I. File No. 02-S-295; ELO No. 1799

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officer David Hoehne. The claim is in the amount of \$397.34 including \$1.34 in disbursements for 3.60 hours of service billed at the rate of \$110.00 per hour. We ask that this matter be introduced and referred to the Committee on Judiciary & Legislation.

We have reviewed this claim and advise that in our opinion, the time spent was reasonable. Legal representation was occasioned by a criminal investigation. No criminal charges were brought against the Police Officer on whose behalf this claim was filed.

As we have advised you under similar circumstances in the past, the Common Council has discretion to reject this claim or to pay it in whole or in part. Sec. 895.35, Stats., *Bablitch and Bablitch v. Lincoln County*, 82 Wis. 2d 574 (1978).

Very truly yours,


GRANT F. LANGLEY
City Attorney


JAN A. SMOKOWICZ
Assistant City Attorney

JAS:enm
Enc.

2276

BEVERLY A. TEMPLE
THOMAS O. GARTNER
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
HAZEL MOSLEY
HARRY A. STEIN
STUART S. MUKAMAL
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MAURITA F. HOUREN
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MICHAEL G. TOBIN
DAVID J. STANOSZ
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
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ELLEN H. TANGEN
MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
DAWN M. BOLAND
KATHRYN M. ZALEWSKI

Assistant City Attorneys

EGGERT & CERMELE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele

1840 North Farwell Avenue
Suite 303
Milwaukee, Wisconsin 53202
(414) 276-8750
FAX (414) 276-8906

August 29, 2002

Mr. Ronald D. Leonhardt
Milwaukee City Clerk
800 City Hall
200 East Wells Street
Milwaukee, WI 53202

**RE: MPD Criminal Investigation of PO David Hoehne
Allegations Regarding Robreis Carter
Date of Incident: February 4, 2002
Location of Incident: District #7
EC No.: 1799**

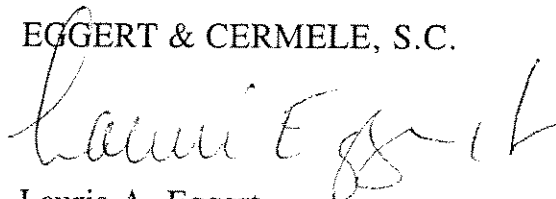
Dear Mr. Leonhardt:

The above-named police officer has retained us to represent him in connection with the above-referenced matter. Consistent with its policy, the City Attorney's Office has refused to represent him, and as he was performing the duties of his office at the time of the events giving rise to the incident, the claim is hereby made on his behalf for the indicated legal fees. This incident involved the arrest and booking of a prisoner.

The MPD initiated a criminal investigation in which the officer initially declined to give a statement without counsel. When he requested counsel, IAD compelled PO Hoehne to give a statement concerning the incident after issuing a PI-21. Later, the MPD decided not to issue criminal charges against the officer. Attached is an itemization of the time and services rendered.

Sincerely,

EGGERT & CERMELE, S.C.



Laurie A. Eggert
Attorney at Law

LAE/ldl
HOEHNE

12/17/03
C.K.
JAS
Letter 2276

EGGERT & CERMELE, S.C.*Attorneys at Law*Laurie A. Eggert
Jonathan Cermele1840 North Farwell Avenue
Suite 303
Milwaukee, Wisconsin 53202
(414) 276-8750
FAX (414) 276-8906

August 29, 2002

Mr. Ronald D. Leonhardt
Milwaukee City Clerk
800 City Hall
200 East Wells Street
Milwaukee WI 53202RE: MPD Criminal Investigation re: Robreis Carter
Regarding: PO David Hoehne
Date of Incident: February 4, 2002
Location of Incident: District #7

Professional services

	<u>Hours</u>	
03/04/02 Telephone call from and to client; open file; memo to file.	0.90	
03/06/02 Preparation for and appearance at PI-21 statements; travel; memo to file; conference with client.	1.10	
03/12/02 Review of file.	0.20	
04/11/02 Review of file; correspondence to MPD Open Records.	0.40	
07/01/02 Review documents from MPD Open Records.	0.30	
08/27/02 Review of file; telephone call to Det. regarding criminal investigation; memo to file; telephone call to client; close file.	0.70	
		<u>Amount</u>
For professional services rendered	3.60	\$396.00
Additional charges:		
06/25/02 MPD Open Records request		1.34

Mr. Ronald D. Leonhardt

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Amount

Total costs	\$1.34
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Total amount of this bill	\$397.34
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Balance due	\$397.34
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(Rate: \$110.00 per hour)

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

SEPTEMBER 26, 2002

TO: P.O. DAVID HOEHNE
DISTRICT SEVEN

RE: Receipt of Legal Services from Law Firm of
Attorney

Attorney EGGERT has made a claim with the City, indicating the attached was provided with legal services arising out of one of the following situations:

- 1) An incident occurring on FEBRUARY 4, 2002
- 2) A citizen's complaint made by ROBREIS CARTER
- 3) A police shooting incident occurring on N/A

Is this information correct?

YES X NO

Did you receive legal representation
in this matter?

YES X NO

Your signature: David P. Hoehne

Print your name: DAVID P. HOEHNE

Upon completion, please return this memorandum to the Internal Affairs Division at the Police Academy (Room 325) as soon as possible.

St. Settingsgaard
STEVEN SETTINGSGAARD
POLICE COMMANDER
Internal Affairs Division

SMS:kjs

RECEIVED
02 OCT - 2 AM 11:15
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
Deputy City Attorney

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MARYNELL REGAN
G. O'SULLIVAN-CROWLEY

Assistant City Attorneys

September 13, 2002

Commander Steven Settingsgaard
Milwaukee Police Dept., Internal Affairs Div.
6680 North Teutonia Avenue, Rm 325
Milwaukee, WI 53209

Re: C.I. File No. 02-S-295
Communication from EGGERT & CERMELE, S.C.

Dear Commander Settingsgaard:

Enclosed please find a claim filed by attorney Laurie A. Eggert for Attorney's fees incurred during her representation of officers.

Please determine whether these officers were in fact involved in the matter described in Ms. Eggert's claim, and have these officer verify Ms. Eggert's representation. Thank you for your anticipated cooperation in this matter.

Very truly yours,

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:beg
Enclosure
5091

02 SEP 25 PM 1:39
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION